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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 MARVIN DWAYNE MOSBY,

10 Petitioner,

11 vs.

12 RENEE BAKER, et al.,

13 Respondents.
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Case No. 2:13-cv-01625-JAD-GWF

ORDER

15 Petitioner, who is in the custody of the Nevada Department of Corrections, has submitted an
16 application to proceed *in forma pauperis* (Doc. 1) and a petition for a writ of habeas corpus.
17 Petitioner has used forms applicable to state-court proceedings, and thus both the application and
18 the petition lack information that the court needs. The court will give petitioner the opportunity to
19 file the documents on the correct forms.

20 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (Doc.
21 1) is **DENIED** without prejudice.

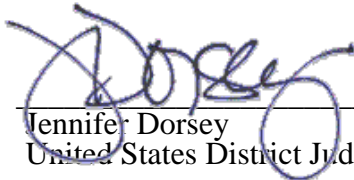
22 **IT IS FURTHER ORDERED** that petitioner shall file another application for leave to
23 proceed *in forma pauperis*, accompanied by a signed financial certificate and a statement of his
24 inmate account. The clerk of the court shall send petitioner a blank application form for
25 incarcerated litigants. In the alternative, petitioner shall make the necessary arrangements to pay
26 the filing fee of five dollars (\$5.00), accompanied by a copy of this order. Petitioner shall have
27 thirty (30) days from the date that this order is entered to comply. Failure to comply will result in
28 the dismissal of this action.

1 **IT IS FURTHER ORDERED** that the clerk of the court shall file the petition for a writ of
2 habeas corpus pursuant to 28 U.S.C. § 2254.

3 **IT IS FURTHER ORDERED** that the clerk of the court shall send petitioner a petition for
4 a writ of habeas corpus pursuant to 28 U.S.C. § 2254 form with instructions. Petitioner shall have
5 thirty (30) days from the date that this order is entered in which to file an amended petition on the
6 correct form. Failure to comply with this order will result in the dismissal of this action.

7 **IT IS FURTHER ORDERED** that petitioner shall clearly title the amended petition as
8 such by placing the word “AMENDED” immediately above “Petition for a Writ of Habeas Corpus
9 Pursuant to 28 U.S.C. § 2254” on page 1 in the caption, and petitioner shall place the docket
10 number, 2:13-cv-01625-JAD-GWF, above the word “AMENDED.”

11 DATED: November 8, 2013.

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Jennifer Dorsey
United States District Judge